

THE CDBG-R SUBSTANTIAL AMENDMENT

<i>Jurisdiction(s):</i> <u>City of South Bend, IN</u>	<i>CDBG-R Contact Person:</i> Pamela C. Meyer
<i>Jurisdiction Web Address:</i> <ul style="list-style-type: none">• (URL where CDBG-R Substantial Amendment materials are posted) www.southbendin.gov/docs/CED_CDBG_R_Combined.pdf	<i>Address:</i> 227. W Jefferson Blvd. Suite 1200 South Bend, IN <i>Telephone:</i> 574-235-5845 <i>Fax:</i> 574-235-9697 <i>Email:</i> pmeyer@southbendin.gov

ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD’s recovery website at <http://www.hud.gov/recovery>.

CDBG-R
Activity Data Spreadsheet

Jurisdiction/Grantee Name: City of South Bend, IN		CDBG-R Formula Grant Amount: \$750,873.00				Date: 6-11-09	
Activity Name	Activity Description	Eligibility (Regulatory or HCDA Citation)	National Objective Citation	CDBG-R Project Budget (\$)	Additional Recovery Funds (\$)	Other Leveraged Funding (\$)	Total Activity Budget
West Washington - Dunbar Corner Geothermal HVAC	Geothermal HVAC System for low and moderate income rental households	24 CFR 570.202 (b)(4)	24 CFR 570.208(a)(3)	\$281,250	\$0	\$0	\$281,250
Salvation Army Outreach Offices	Rehabilitation of 303 S Chapin as a Public Facility	24CFR.570. 201(c)	24CFR.570 208.(a)(2)	\$ 16,500	—	—	\$16,500
REAL Services Aging in Place Home Modification Project	Handicap accessibility home modifications for income-eligible senior citizens	24CFR.570. 202 (a)(1)	24CFR.570 208 (3)	\$ 352,623	\$1,600,000	\$881,558	\$2,834,181
208 Chapin Street Rehabilitation	Rehabilitation of vacant home for low/mod household	24 CFR.570 .202(b)(2)(4)	24 CFR 570.208(a)(3)	\$ 93,000	—	—	\$93,000
Planning & Administrative	Planning and administration of CDBG-R activities	24CFR 570.270.206	—	\$ 7,500	\$0	\$0	\$7,500
Totals	—	—	—	\$750,873	\$1,600,000	\$881,558	\$3,232,431

B. CDBG-R INFORMATION BY ACTIVITY (*COMPLETE FOR EACH ACTIVITY*)
ACTIVITY #1

- (1) Activity Name: (*Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.*)

West Washington – Dunbar Corner Geothermal HVAC

- (2) Activity Narrative:
In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- *Preserving and creating jobs and promoting economic recovery;*
- *Assisting those most impacted by the recession;*
- *Providing investment needed to increase economic efficiency;*
- *Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;*
- *Minimizing or avoiding reductions in essential services; or*
- *Fostering energy independence.*

This activity addresses the Recovery Act by fostering energy independence through the installation of geothermal heating, ventilation, and air conditioning (HVAC) systems in 25 low and moderate income housing units in the West Washington Dunbar Homes housing development, which is combination of new and rehabilitated housing units. This housing development was part of a comprehensive neighborhood redevelopment project that won the National League of Cities prestigious Holland Award in 2002. Complementing this award-winning project with geothermal systems will foster “green collar” job creation, and will directly benefit low and moderate income populations who are disproportionately affected by the economic recession.

- (3) Jobs Created: (*Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs).*)

Installation of the geothermal systems will potentially engage 2 construction employees.

- (4) Additional Activity Information: (*A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.*)

The energy conservation and environmental benefits of geothermal technologies are well established. According to the Geothermal Resources Council geothermal heat pumps reduce energy consumption by 30 to 60% compared to conventional systems and reduces greenhouse

gas emissions. As such, the Recovery Act allocated \$350 Million to expand and accelerate the development, deployment, and use of geothermal energy throughout the United States

- (5) Responsible Organization: (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)

South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616

Phil Bryd, Executive Director
574-289-1066 x 209
philb@sbheritage.org

ACTIVITY #2

- (6) Activity Name: (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)

Salvation Army Outreach Offices

- (7) Activity Narrative:

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- *Preserving and creating jobs and promoting economic recovery;*
- *Assisting those most impacted by the recession;*
- *Providing investment needed to increase economic efficiency;*
- *Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;*
- *Minimizing or avoiding reductions in essential services; or*
- *Fostering energy independence.*

Activity #2 is the renovation of office and service space at 303 Chapin Street in the Near Westside Neighborhood. This structure will house the Outreach Offices of the Salvation Army, at which assistance to individuals and families of low and moderate income will be provided.

Outreach activities conducted at 303 S Chapin will include rent and utility assistance; a drop-in food pantry offering 3 days worth of meals; Christmas Adopt-A Family program; BandLINK (musical instruction/tutoring and mathematics program); theatre art courses; summer camp and gardening programs.

In conjunction with the University of Notre Dame marching band, The Salvation Army is offering BandLINK, to over 30 youth in the community. As The Salvation Army begins to increase services, additional staff support will be hired in the areas of Arts, Music and Recreational programming. BandLINK is currently offered to Westside

South Bend students in grades 5-7. Two of the participating schools have no music programs available to students. Several of the other participants live in the surrounding neighborhood in the South Bend Housing Authority family housing. Through BandLINK, The Salvation Army is able to reach youth who have few opportunities and offer them first class music instruction at no cost.

This activity will stimulate the local economy through the creation of construction jobs, and demand for construction materials in the short-term. However, the ongoing operations of the Salvation Army Outreach Offices will benefit populations at high-risk for job loss and economic instability. This facility is located in the City of South Bend's proposed Neighborhood Revitalization Strategy Area (NRSA). The NRSA is comprised of Census Tracts 19 and 20, and calls for strategic investment of CDBG funds to foster revitalization. Census Tract 20-the location of the office-has a 25% foreclosure rate and a 12% vacancy rate.

- (8) *Jobs Created:* *(Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).*

The Salvation Army Outreach Offices will house eight (8) current employees and with (2) two new full-time positions to be added soon. Over the course of the next year fifteen (15) new full-time positions are expected to be added.

- (9) *Additional Activity Information:* *(A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)*

This activity will implement the City of South Bend's smart growth strategy by adding neighborhood amenities that will foster infill development on previously developed vacant land already served by municipal utilities. This activity will also promote energy conservation through design; and reduced pollution emissions through the rehabilitation of a pre-existing facility as compared to the demolition of an existing structure and the construction of a new structure.

- (10) *Responsible Organization:* *(Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)*

South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616
Phil Byrd, Executive Director
574-235-1066 x 209
philb@sbheritage.org

ACTIVITY #3

(11)Activity Name: *(Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)*

Real Services Aging in Place Senior Home Modification Project

(12)Activity Narrative:

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- *Preserving and creating jobs and promoting economic recovery;*
- *Assisting those most impacted by the recession;*
- *Providing investment needed to increase economic efficiency;*
- *Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;*
- *Minimizing or avoiding reductions in essential services; or*
- *Fostering energy independence.*

Activity #3 is the funding of REAL Services Aging in Place Senior Home Modification Program. REAL Services is the designated Area Agency on Aging for implementation of the Older Americans Act and related programs in Elkhart, Kosciusko, LaPorte, Marshall and St. Joseph Counties, with its main office and regional kitchen facility located in South Bend. The Aging in Place Senior Home Modification Program provides medically necessary home modifications to ensure a barrier free and safe home for low income elderly South Bend citizens.

Examples of medically necessary home improvements can include handicapped accessible ramps and railings, lavatory renovations, door widenings, step repairs and so forth to Americans with Disability Act standards. The intent of this program is to assist these citizens in remaining in their home as long as possible. REAL Services received a \$900,000 matching grant for a three year period, from the Weinberg Foundation. The CDBG-R funds will leverage \$881,558 of the Weinberg Grant. The overall program goal is to modify 100 homes per year at an average cost of \$10,000 per home.

This program will stimulate the local economy through the creation of construction jobs, and demand for construction materials through funding a continuation of a program with a successful track record and leveraging private foundation dollars. It will also assist senior citizens who are disproportionately affected by the recession. Please see response to number 18 for more information on how this program will help foster energy independence.

Jobs Created: *(Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).*

It is anticipated that this activity will engage four self employed contactors to address the home modifications.

(13)Additional Activity Information: *(A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)*

Seniors receiving this service will be referred to Real Services Home Weatherization Program. This program helps income eligible households reduce fuel consumption and fuel expenses by providing weatherization measures for homes at no cost to those served. These procedures include: health and safety inspection on the furnace and water heater, cellulose insulation in attics and side walls. Real Service anticipates receiving \$1,600,000 of additional recovery act funds for the weatherization program in St. Joseph County, IN.

(14)Responsible Organization: *(Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)*

Real Services
1151 S. Michigan Street
South Bend, IN 46617
Mailing Address:
P.O. Box 1835
South Bend, IN 46634-1835

Rebecca Zaseck, President/CEO
574-284-1701
Rzaseck@realservicesinc.com

ACTIVITY #4

(15)Activity Name: *(Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)*

208 Chapin Street Rehabilitation

(16)Activity Narrative:

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- *Preserving and creating jobs and promoting economic recovery;*
- *Assisting those most impacted by the recession;*
- *Providing investment needed to increase economic efficiency;*

- *Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;*
- *Minimizing or avoiding reductions in essential services; or*
- *Fostering energy independence.*

Activity #4 will rehabilitate a single-family home at 208 Chapin Street for low to moderate income homeownership. Energy efficient upgrades will be made to ensure that the property will be affordable for the household and foster the Recovery Act objective of energy efficiency/independence. This project will be bid competitively and engage a minimum of one self employed contractor.

***Jobs Created:** (Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).*

It is anticipated that this activity will engage one self employed contractor to perform the home rehabilitation.

*(17)**Additional Activity Information:** (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)*

To ensure that this activity will promote energy conservation two separate energy star furnaces will be used to provide for more efficient “zone” heating. HVAC units will also be energy star rated. New insulation will be added to the attic and new storm windows will be installed.

*(18)**Responsible Organization:** (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)*

South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616
Phil Byrd, Executive Director
574-235-1066 x 209
philb@sbheritage.org

ACTIVITY #5

*(19)**Activity Name:** (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)*

Community & Economic Development Planning and Administration

*(20)**Activity Narrative:***

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee’s CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee’s narrative

must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- *Preserving and creating jobs and promoting economic recovery;*
- *Assisting those most impacted by the recession;*
- *Providing investment needed to increase economic efficiency;*
- *Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;*
- *Minimizing or avoiding reductions in essential services; or*
- *Fostering energy independence.*

Activity #5 is the funding of planning and administrative time for the Department of Community & Economic Development

Jobs Created: (Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).

N/A

(21) *Additional Activity Information: (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)*

N/A

(22) *Responsible Organization: (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)*

Community & Economic Development
Division of Community Development
227 West Jefferson Blvd.
South Bend, IN 46601

Pamela C. Meyer, Director
574-235-5845
pmeyer@southbendin.gov

C. PUBLIC COMMENT

Provide a summary of public comments received to the proposed CDBG-R Substantial Amendment.

Note: *A Proposed CDBG-R Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 7 calendar days for public comment.*

Response:

A notice was published in the South Bend Tribune on May 25, 2009 informing the public of the amendments availability at the St. Joseph County Public Library, Community and Economic Development's offices, the City Clerk's office, and on the City's website at www.southbendin.gov/cdbgr. The public comment period began May 26, 2009 and ended June 1, 2009.

The City received 9 responses to the CDBG-R Substantial Amendment proposal. All 9 responses were in support of the proposed amendment.

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

(4) **Anti-lobbying.** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(5) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan.** The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan.** The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds.** The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG-R funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. **Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.

Signature/Authorized Official

Date

Title

CDBG-R Substantial Amendment Grantee Checklist

For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.

Contents of a CDBG-R Action Plan Substantial Amendment

Jurisdiction(s): City of South Bend, IN Lead Agency Jurisdiction Web Address: (URL where CDBG-R Substantial Amendment materials are posted) www.southbendin.gov/	CDBG-R Contact Person: Pamela Meyer Address: 227 W. Jefferson Blvd. Telephone: 574/235-5845 Fax: 574/235-9697 Email: pmeyer@southbendin.gov
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The elements in the substantial amendment required for the CDBG recovery funds are:

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes ☒ No ☐ Verification found on page 2

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box CDBG-R@hud.gov?

Yes ☒ No ☐ Date Spreadsheet was emailed: 6/3/09

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,
 Yes ☒ No ☐ Verification found on page(s) 2
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes ☒ No ☐ Verification found on page(s) 2
- the CDBG national objective citation,
 Yes ☒ No ☐ Verification found on page(s) 2

B. CDBG-R INFORMATION BY ACTIVITY

Does the submission contain information by activity describing how the grantee will use the funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,
Yes ☒ No ☐ Verification found on page(s) 3-9
- projected number of jobs created for each activity,
Yes ☒ No ☐ Verification found on page(s) 3-9
- whether an activity will promote energy efficiency and conservation,
Yes ☒ No ☐ Verification found on page(s) 3-9
- the name, location, and contact information for the entity that will carry out the activity,
Yes ☒ No ☐ Verification found on page(s) 3-9
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes ☒ No ☐ Verification found on page (s) 2
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes ☒ No ☐ Verification found on page (s) 2
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes ☒ No ☐ Verification found on page (s) 2

C. PUBLIC COMMENT PERIOD

Was the proposed action plan amendment published via the jurisdiction's usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes ☒ No ☐ Verification found on page(s) 10

Is there a summary of citizen comments included in the final amendment?

Yes ☒ No ☐ Verification found on page(s) 10

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|---|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (9) Following a plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

(10) Use of Funds	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(11) Excessive Force	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(12) Compliance with anti-discrimination laws	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(13) Lead-based paint procedures	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(14) Compliance with laws	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(15) Compliance with ARRA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(16) Project selection	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(17) Timeliness of infrastructure investments	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(18) Buy American provision	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(19) Appropriate use of funds for infrastructure investments	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(20) 70% of CDBG-R for LMI	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Optional Certification		
(21) Urgent Need	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

D. STATE CERTIFICATIONS

State certifications are not applicable.

The following certifications are complete and accurate:

(1) Affirmatively furthering fair housing	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(2) Anti-displacement and relocation plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(3) Drug-free Workplace	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(4) Anti-lobbying	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(5) Authority of State	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(6) Consistency with plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(7) Section 3	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(8) Community development plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(9) Consultation with Local Governments	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(10) Use of Funds	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(11) Excessive Force	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(12) Compliance with anti-discrimination laws	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(13) Compliance with laws	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(14) Compliance with ARRA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(15) Project selection	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(16) Timeliness of infrastructure investments	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(17) Buy American provision	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(18) Appropriate use of funds for infrastructure investments	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(19) 70% of CDBG-R for LMI	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Optional Certification		
(20) Urgent Need	Yes <input type="checkbox"/>	No <input type="checkbox"/>